

APPEAL

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:04-cv-11784-MLW**

Colburn v. Cappiello

Assigned to: Chief Judge Mark L. Wolf

Cause: 28:1441 Petition for Removal- Labor/Mgmt. Relatio

Date Filed: 08/16/2004

Jury Demand: None

Nature of Suit: 720 Labor: Labor/Mgt.  
Relations

Jurisdiction: Federal Question

**Plaintiff****Patricia M. Colburn**

V.















**Defendant****Richard Cappiello**






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**Movant****Myles Calvey**

represented by **Harold L. Lichten**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
08/11/2004	 4	STATE COURT Record Richard Cappiello served on 8/11/2004, answer due 8/31/2004, FILED. (Boyce, Kathy) (Entered: 08/30/2004)
08/17/2004	 1	NOTICE OF REMOVAL by Richard Cappiello from Superior Court of Plymouth County, case number 04-00889-A. \$ 150, receipt number 58013, filed by Richard Cappiello(Boyce, Kathy) (Entered: 08/18/2004)
08/17/2004	 1	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Collings. (Boyce, Kathy) (Entered: 08/18/2004)
08/18/2004	 2	MOTION to Dismiss by Richard Cappiello.(Bell, Marie) (Entered: 08/19/2004)
08/18/2004	 2	MEMORANDUM in Support re 2 MOTION to Dismiss filed by Richard Cappiello. (Bell, Marie) (Entered: 08/19/2004)
08/25/2004	 5	Letter to court from Patricia M. Colburn, FILED. (Boyce, Kathy) (Entered: 08/30/2004)
08/26/2004	 6	MOTION to Dismiss by Myles Calvey, FILED, c/s.(Boyce, Kathy) (Entered: 09/01/2004)
08/26/2004	 7	MEMORANDUM in Support of 6 MOTION to Dismiss filed by Myles Calvey, FILED, c/s. (Boyce, Kathy) Additional attachment(s) added on 9/2/2004 (Boyce, Kathy). (Entered: 09/01/2004)
09/02/2004	 7	Notice of correction to docket made by Court staff. Correction: Document No. 7 corrected because: to attach the correct document as prior document was incorrect (Boyce, Kathy) (Entered: 09/02/2004)
09/02/2004	 8	STATE COURT Record Richard Cappiello served on 8/4/2004, answer due 8/24/2004.. (Boyce, Kathy) (Entered: 09/09/2004)
01/20/2005	 9	NOTICE of Scheduling Conference/Hearing on Motion 6 MOTION to Dismiss, 2 MOTION to Dismiss: Motion Hearing set for 3/21/2005 03:00 PM in Courtroom 10 before Judge Mark L. Wolf. (O'Leary, Dennis) (Entered: 01/21/2005)
03/10/2005	 13	Judge Mark L. Wolf : ORDER entered granting 2 Motion to Dismiss. (O'Leary, Dennis) Additional attachment(s) added on 3/14/2005 (Boyce, Kathy). Modified on 3/14/2005 to add the complete document pdf to order as formerly missing some pages (Boyce, Kathy). (Entered: 03/14/2005)
03/11/2005	 10	JOINT STATEMENT of counsel Pursuant to Local Rule 16.1 (D). (Horberg Decter, Nicole) (Entered: 03/11/2005)
03/11/2005	 11	Certificate Pursuant to Rule 16.1 by Nicole H. Horberg Decter on behalf of Richard Cappiello. (Horberg Decter, Nicole) Modified on 3/17/2005 to change the name of this event from Certificate of Consultation to Certification Pursuant to Rule 16.1 (Boyce, Kathy). (Entered: 03/11/2005)

03/11/2005	 12	STATEMENT OF COUNSEL <i>Defendant's Local Rule 26.1(B)(2) Sworn Statement</i> by Richard Cappiello. (Horberg Decter, Nicole) (Entered: 03/11/2005)
03/14/2005	 13	Notice of correction to docket made by Court staff. Correction: Document No. 13, Memorandum and Order corrected to add a complete document to entry as the document was previously missing pages (Boyce, Kathy) (Entered: 03/14/2005)
06/28/2005	 14	Letter from Patricia Colburn to Judge Wolf attaching a letter from the Social Security Administration, FILED. (Boyce, Kathy) (Entered: 07/01/2005)
10/05/2005	 15	Letter to clerk from Catherine Highet enclosing Deft Myles Calvey's and IBEW Local 2222's Opposition to Pltf's Motion for Reconsideration, FILED. (Boyce, Kathy) (Entered: 10/13/2005)
01/26/2006	 16	NOTICE OF APPEAL as to <u>13</u> Order on Motion to Dismiss,,, by Patricia M. Colburn. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerk/transcript.htm">http://www.ca1.uscourts.gov/clerk/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 2/15/2006. (Boyce, Kathy) (Entered: 02/02/2006)